

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SCOTT'S TRUCKING, LLC,

Plaintiff,

v.

NAVISTAR, INC.,

Defendant.

No. 2:20-cv-01841-RSM

**ORDER GRANTING DEFENDANT
NAVISTAR, INC. LEAVE TO FILE A
RENEWED MOTION TO DISMISS,
AND STAYING INITIAL CASE
DEADLINES PENDING THE COURT'S
RULING ON THAT MOTION**

ORDER

This Court has considered the parties' Stipulated Motion for an Order (1) Granting Defendant Navistar, Inc. Leave to File a Renewed Motion to Dismiss and (2) Staying Initial Case Deadlines Pending the Court's Ruling on that Motion. Finding good cause therefore, the Court ORDERS that Defendant Navistar is hereby granted leave to file a renewed Rule 12(b) motion to dismiss directed to the issues that were deferred for ruling by this Court by the United States District Court for the Northern District of Texas in its December 21, 2020 Order, Dkt. 35. Navistar's renewed motion shall be filed within fourteen (14) days of the date of this Order.

ORDER GRANTING STIPULATED MOTION FOR
LEAVE TO BRING A RENEWED MOTION TO
DISMISS AND STAYING INITIAL CASE
DEADLINES– Page 1

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

1 The Court further orders that the initial case deadlines set forth at page 1 of its January
2 6, 2021 Order Regarding Initial Disclosures, Joint Status Report, and Early Settlement, Dkt. 40,
3 are hereby stayed pending the Court's ruling on Navistar's renewed motion to dismiss. If any
4 portion of this case survives the Court's ruling on that motion, the Court will issue an order re-
5 setting those deadlines.

6 IT IS SO ORDERED.

7 DATED this 13th day of January, 2021.

8
9
10 

11 RICARDO S. MARTINEZ
12 CHIEF UNITED STATES DISTRICT JUDGE
13
14

15 Presented by:

16 MILLER WEISBROD LLP

17 s/ Warren M. Armstrong

18 Clay Miller (*pro hac vice pending*)

19 Warren M. Armstrong (*pro hac vice pending*)

20 12750 Merit Drive, Suite 1100

21 P.O. Box 821329 (75382)

22 Dallas, TX 75251

23 Phone: (214) 987-0005

24 cmiller@millerweisbrod.com

25 warmstrong@millerweisbrod.com

Attorneys for Plaintiff

ORDER GRANTING STIPULATED MOTION FOR
LEAVE TO BRING A RENEWED MOTION TO
DISMISS AND STAYING INITIAL CASE
DEADLINES– Page 2

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900

CORR CRONIN LLP

s/ Kevin C. Baumgardner

Kevin C. Baumgardner, WSBA No. 14263

Lucio E. Maldonado, WSBA No. 54279

1001 4th Avenue, Suite 3900

Seattle, WA 98101

Phone: (206) 625-8600

kbaumgardner@corrchronin.com

lmaldonado@corrchronin.com

HARTLINE BARGER, LLP

Brian Joseph Sawyer (*admitted pro hac vice*)

Clayton J. Callen (*admitted pro hac vice*)

Jeff S. Patterson (*admitted pro hac vice*)

8750 N. Central Expressway

Suite 1600

Dallas, TX 75231

214-346-3738

bsawyer@hartlinebarger.com

ccallen@hartlinebarger.com

jpatterson@hartlinebarger.com

ORDER GRANTING STIPULATED MOTION FOR
LEAVE TO BRING A RENEWED MOTION TO
DISMISS AND STAYING INITIAL CASE
DEADLINES– Page 3

CORR CRONIN LLP
1001 Fourth Avenue, Suite 3900
Seattle, Washington 98154-1051
Tel (206) 625-8600
Fax (206) 625-0900